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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

RIMELL, SAMUEL G

ART UNIT	PAPER NUMBER
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2165

DATE MAILED: 07/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

87

Office Action Summary

Application No.

10/098,697

Applicant(s)

JORDAN, ROYCE D.

Examiner

Sam Rimell

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 2,4-6,8,9,11-14,16,17 and 30-39 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 2, 4-6, 8-9, 11-14, 16-17, 30-39 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.


SAM RIMELL
PRIMARY EXAMINER

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Preliminary Note: This office action is made non-final.

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 2, 4-6, 8-9, 11-14, 16-17 and 30-39 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

(Claim 30 is the independent claim so it is addressed first).

Claim 30: The phrases “the wireless network” and “the external network” lack antecedent basis.

Claim 5: The phrase “the address book” lacks antecedent basis.

Claim 11: The phrases “the address book” and “The Internet” lack antecedent basis.

Claim 12: The phrase “the address book” lacks antecedent basis.

Claim 13: The phrase “the entry” lacks antecedent basis.

Claim 35: The recitation of an external network is redundant with the features already recited in claim 30.

Claim 37: The phrase “the transmitting device” lacks antecedent basis.

Claims 2, 4, 6, 8-9, 14, 16, 17, 31-34, 36, 38-39: These claims are rejected only for their dependence on rejected claim 30.

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an

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international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 2, 4-6, 8-9, 11-14, 16-17 and 30-39 are rejected under 35 U.S.C. 102(e) as being anticipated by Gropper (US Pre Grant Publication 2002/0049610).

(Claim 30 is the independent claim and will be addressed first).

Claim 30: FIG. 1A of Gropper discloses a client computer (100). As seen in FIGS. 1C-1D, the client computer system is a communications system and includes a message storage device (104) and a user database an address book (170). As seen in the architecture of FIG. 1A, the client device (100) can also be a gateway device because it can transmit data between the external network (120) and the supplemental client computer (115). All of the network connections can be wireless in nature See FIG. 1D which allows the client devices to be wireless.

Claim 2: The client computer includes an address book with contact information, including names, mailing addreses and e-mail addresses (paragraph 0093).

Claim 4: As seen in FIG. 1F, the user database (address book) has a set of distinct records which are readable as a directory.

Claim 5: The address book can be stored in the client computer RAM (110 in FIG. 1B) or an external storage system (104 in FIG. 1D).

Claim 6: Paragraph 0149 describes the wireless client computers as either wireless PDAs or wireless telephones, either of which are readable as pagers.

Claim 8: The external network may be the Internet (paragraph 0149).

Claim 9: Address modification are made on the wireless client devices and may be further directed to another server (paragraph 0120-0121).

Claim 11: Modification are made via the Internet (paragraph 0149).

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Claim 12: The address is located on the wireless device, so modifications are inherently made via the wireless device.

Claim 13: Modifying the address book may include changing an entry (paragraph 0122).

Claim 14: The user's status can be checked and accepted or blocked at the original client's address book, thus verifying status before permitting any attempt to change the address book (paragraphs 0094-0095).

Claim 16: See remarks for claim 6.

Claim 17: See remarks for claim 2.

Claim 31: In FIG. 1F, the address book interface (160) is readable as the protocol handler.

Claim 32: As seen in FIG. 1F, the communications manager (154) is the router between the client computer and external networks.

Claim 33: As seen in FIG. 1G, the arrows define the communication network within the client system.

Claim 34: The communications system (100) in FIG. 1A may communicate with another wireless device, such as supplemental computer (115) that may be a wireless platform (FIG. 1D).

Claim 35: FIG. 1A illustrates external network (120).

Claim 36: The client computing devices may operate wirelessly (FIG. 1D).

Claim 37: As seen in FIG. 1A, the communications system (100) may be a transmitting device which transmits to secondary computer device (115).

Claim 38: In FIG. 1F, the client computer can determine properties associated with address book content, such as "existing content" or "updated content".

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Claim 39: In FIG. 1F, the address book is illustrated as having updated content and the software controlling the address book is able to update the content of the address book.

Remarks

This office action is made in response to the interview of 11/1/04 and appears to be a bona fide effort to advance prosecution to overcome the reference to Gropper. Accordingly, this office action is made non-final.

Upon reconsideration of the particular claims at issue and the Gropper reference, examiner maintains that the Gropper reference is still applicable to the claims. The detailed explanation for this application is set forth above, particularly with reference to claim 30.

The new grounds of rejection under 35 USC 112, second paragraph are necessitated by the introduction of new claim 30.

This action is non-final.

Any inquiry concerning this communication should be directed to Sam Rimell at telephone number (571) 272-4084.



Sam Rimell
Primary Examiner
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